

# **EXHIBIT A**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**FRED HANEY, MARSHA MERRILL,  
SYLVIA RAUSCH, STEPHEN SWENSON,  
and ALAN WOOTEN, Individually and on  
Behalf of All Others Similarly Situated,**

**Plaintiffs,**

**v.**

**GENWORTH LIFE INSURANCE  
COMPANY and GENWORTH LIFE  
INSURANCE COMPANY OF NEW  
YORK,**

**Defendants.**

**Civil Action No. 3:22-cv-00055-REP**

**CLASS ACTION**

**DECLARATION OF MICHAEL J. DUVALL IN SUPPORT OF NAMED PLAINTIFFS  
AND DEFENDANTS' SUPPLEMENTAL BRIEF IN RESPONSE TO THE COURT'S  
NOVEMBER 17 AND 21, 2022 ORDERS REGARDING CLASS MEMBER GARY  
DAVIS**

I, Michael J. Duvall, declare as follows:

1. I am over 18 years of age and I am competent to make this declaration. I am a partner with Dentons US LLP and am counsel for Defendants Genworth Life Insurance Company and Genworth Life Insurance Company of New York (collectively, “Genworth”) in this action.

2. I submit this declaration in support of Named Plaintiffs and Defendants’ supplemental brief submitted jointly pursuant to the Court’s November 17 and 21, 2022 Orders (ECF Nos. 94 & 98), in further response to the oral argument made by Class Member Gary Davis (“Mr. Davis”) at the Final Approval Hearing of the Class Action Settlement. This declaration is based both on my personal knowledge and upon a review of records that Genworth maintains in the ordinary course of business.

3. Attached hereto as **Exhibit 1** is a true and correct copy of the premium rate increase letter sent from Genworth to Mr. Davis on May 29, 2022.

4. Attached hereto as **Exhibit 2** is a true and correct copy of the benefit change options letter sent from Genworth to Mr. Davis on July 11, 2022.

5. Attached hereto as **Exhibit 3** is a true and correct copy of the benefit election form signed by Mr. Davis on July 25, 2022 and mailed to Genworth.

6. Attached hereto as **Exhibit 4** is a true and correct copy of the benefit change confirmation letter sent from Genworth to Mr. Davis on August 4, 2022.

7. Attached hereto as **Exhibit 5** is a true and correct copy of Genworth’s SERFF filing for the 2021 Choice 2 Pennsylvania rate increase request submitted on June 21, 2021 and approved on September 9, 2021.

8. Attached hereto as **Exhibit 6** is a true and correct copy of Genworth's May 2021 Choice 2 Actuarial Memorandum submitted to the Pennsylvania Department of Insurance.

9. Attached hereto as **Exhibit 7** is a true and correct copy of Mr. Davis's Genworth Long Term Care Insurance Policy.

10. Attached hereto as **Exhibit 8** is a true and correct copy of Genworth's June 15, 2021 Cover Letter to the Pennsylvania Department of Insurance.

11. Attached hereto as **Exhibit 9** is a true and correct copy of Genworth's Sample Pennsylvania Policyholder Notification Letter.

12. Attached hereto as **Exhibit 10** is a true and correct copy of Genworth's Sample Pennsylvania Flexible Benefit Option Policyholder Notification Letter.

13. Attached hereto as **Exhibit 11** is a true and correct copy of the premium rate increase letter sent from Genworth to Kathryn Dimiduk on April 1, 2022.

I declare under penalty of perjury that the foregoing is true and correct. Executed on November 23, 2022, in Los Angeles, California.

/s/ Michael J. Duvall  
MICHAEL J. DUVALL